



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

19 June 2009

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AB = Assembly Bill	NSPS = New Source Performance Standards
ARB = Air Resources Board	OAC = Ohio Administrative Code
AVAQMD = Antelope Valley Air Quality Management District	ODS = Ozone depleting substance
CAA = Clean Air Act	OEPA = Ohio Environmental Protection Agency
CCR = <i>California Code of Regulations; also Colorado Code of Regulations</i>	PCAPCD = Placer County Air Pollution Control District
CDPHE = Colorado Department of Public Health and Environment	PHG = Public Health Goal
CESA = California Endangered Species Act	PM-10 = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less
CFR = <i>Code of Federal Regulations</i>	PSD = Prevention of significant deterioration
CRNR = California Regulatory Notice Register	RCRA = Resource Conservation and Recovery Act
CTG = Control Technology Guidelines	RIN = Regulatory Identification Number
EIS = Environmental Impact Statement	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	SCAQMD = South Coast Air Quality Management District
F.A.C. = Florida Administrative Code	SIP = State Implementation Plan
FAW = Florida Administrative Weekly	SJRWMD = St. Johns River Water Management District
FDEP = Florida Department of Environmental Protection	SJVUAPCD = San Joaquin Valley Unified Air Pollution Control District
FR = <i>Federal Register</i>	SOx = Sulfur oxides
FY = Fiscal year	SPCC = Spill prevention, control, and countermeasures
FFY = Federal fiscal year	TCEQ = Texas Commission on Environmental Quality
GRC = Glenn Research Center	THM = Trihalomethane
HRVOC = Highly reactive volatile organic compound	TMDL = Total maximum daily load
IUP = Intended Use Plan	TSCA = Toxic Substances Control Act
LAC = Louisiana Administrative Code	U.S. = United States
LDEQ = Louisiana Department of Environmental Quality	UAC = Utah Administrative Code
MBUAPCD = Monterey Bay Unified Air Pollution Control District	UDERR = Utah Division of Environmental Response and Remediation
MDE = Maryland Department of the Environment	UIC = Underground injection control
NAAQS = National Ambient Air Quality Standards	UST = Underground storage tank
NASA = National Aeronautics and Space Administration	Va.R. = <i>Virginia Register</i>
NEPA = National Environmental Policy Act	VAC = Virginia Administrative Code
NIOSH = National Institute for Occupational Safety and Health	VDEQ = Virginia Department of Environmental Quality
NOx = Nitrogen oxides	VOC = Volatile organic compound
NPDES = National Pollutant Discharge Elimination System	WFF = Wallops Flight Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED061909-1	CAA NAAQS-NOx and SOx	06/17/2009	74 FR 28698	Notice	<p>Draft Risk and Exposure Assessment Report for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur</p> <p>Notice of availability of a draft document titled "Risk and Exposure Assessment to Support the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: Second Draft." The purpose of the document is to convey the approach taken to assess environmental exposures to ambient NOx and SOx and to characterize associated public welfare risks. Also presents the results of the assessments. Comments due 07/17/2009.</p>	
FED061909-2	CAA Stationary Source Compliance Testing	06/16/2009	74 FR 28451	Proposed Rule	<p>Restructuring of the Stationary Source Audit Program [40 CFR Parts 51, 60, 61 and 63]</p> <p>Proposes amendments to the General Provisions regarding stationary sources required to conduct compliance testing under 40 CFR Parts 60, 61, and 63. Would apply only if there is a commercially available audit for the test method used during compliance testing. Amendments would allow accredited providers to supply stationary source audit samples and require sources to obtain and use these samples from the accredited providers instead of from EPA. Would move all requirements pertaining to the audit samples from the test methods to the General Provisions. Comments due 07/16/2009. [RIN 2060-AP23]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED061909-3	Climate Change	06/17/2009	74 FR 28753	Notice	<p>Department of State</p> <p>United States Global Change Research Program</p> <p>Announces a call for nominations to serve as authors or review editors of the Intergovernmental Panel on Climate Change Special Report, "<i>Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation</i>." The Panel is an intergovernmental body that oversees the development of assessments of the state of knowledge on climate change. Member governments have an opportunity to provide nominations for authors to be involved in the production of each chapter in the report. The report will require the contributions of experts who can integrate the findings of the climate change science; vulnerability, impacts, and adaptation to extreme events; and disaster risk management communities. Nominees should have extensive expertise pertinent to the subject matter covered and be recognized in their field of expertise. Nominations due 07/10/2009.</p>	
FED061909-4	Navigation and Navigable Waters	06/10/2009	74 FR 27435	Final Rule	<p>U.S. Coast Guard</p> <p>Navigation and Navigable Waters; Technical, Organizational and Conforming Amendments [33 CFR Parts 1, 25, 66, 70, 72, 100, 110, 133, 135, 136, 137, 138, 155, 157, 161, 165, and 169]</p> <p>Makes non-substantive changes throughout to U.S. Coast Guard navigation and navigable water regulations. The purpose is to make conforming amendments and technical corrections. Effective 06/10/2009. [RIN 1625-ZA23]</p>	
FED061909-5	NEPA Draft EIS	06/12/2009	74 FR 28045	Notice	<p>Environmental Impact Statements and Regulations; Availability of EPA Comments</p> <p>Announces availability of comments regarding EISs. Includes the following regarding Draft EISs:</p> <ul style="list-style-type: none"> EIS No. 20090102, ERP No. D-FAA-A12046-00, PROGRAMMATIC --Streamlining the Processing of Experimental Permit Applications, Issuing Experimental Permits for the Launch and Reentry of Useable Suborbital Rockets. Summary: EPA has no objection to the proposed action. 	
FED061909-6	Nuclear Fees	06/10/2009	74 FR 27641	Final Rule	<p>Nuclear Regulatory Commission</p> <p>Revision of Fee Schedules; Fee Recovery for FY 2009; Final Rule [10 CFR Parts 170 and 171]</p> <p>Amends the licensing, inspection, and annual fees charged to applicants and licensees. Effective 08/10/2009. [RIN 3150-AI52]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED061909-7	Oceans, Coasts, and Great Lakes	06/17/2009	74 FR 28591	Presidential Memorandum	<p>Executive Office</p> <p>National Policy for the Oceans, Our Coasts, and the Great Lakes</p> <p>Establishes an Interagency Ocean Policy Task Force, to be led by the Chair of the Council on Environmental Quality. Task Force is to be composed of senior policy-level officials from the executive departments, agencies, and offices represented on the Committee on Ocean Policy. The Task Force will develop recommendations that include the following:</p> <ul style="list-style-type: none"> ▪ A national policy on ocean, coastal, and Great Lakes ecosystems and resources, ocean and coastal economies, maritime heritage, climate change, and national security and foreign policy interests. ▪ A U.S. framework for policy coordination of efforts to improve stewardship of the oceans, our coasts, and the Great Lakes. ▪ An implementation strategy <p>Dated 06/12/2009.</p>	
FED061909-8	Oil Pollution SPCC Plans	06/19/2009	74 FR 29136	Final Rule	<p>Oil Pollution Prevention; Non-Transportation Related Onshore and Offshore Facilities [40 CFR Part 112]</p> <p>Amends the dates by which facilities must prepare or amend and implement their SPCC Plans, to 11/10/2010. Requires that the owner or operator of a facility that was in operation before 08/16/2002 must maintain an SPCC Plan, make any necessary amendments to the plan, and fully implement it by 11/10/2010; while the owner or operator of a facility that came into operation after 08/16/2002 but before 11/10/2010 is required to prepare and implement an SPCC Plan by 11/10/2010. Effective 06/19/2009. [RIN 2050-AG49]</p>	
FED061909-9	Safety Respirator Standards	06/16/2009	74 FR 28509	Notice	<p>NIOSH</p> <p>Notice of Public Meeting to Discuss NIOSH's Respirator Standards Development Efforts</p> <p>Announces a public meeting to discuss current respirator standards development projects for Supplied Air Respirators; Air Fed Ensembles; and Total Inward Leakage for respirators other than filtering facepieces and halfmasks. Meeting to be held 09/17/2009 in Pittsburgh, PA.</p>	
FED061909-10	Toxic Substances 1,4-Dioxane	06/09/2009	74 FR 27313	Notice	<p>Draft Toxicological Review of 1,4-Dioxane: In Support of the Summary Information in the Integrated Risk Information System</p> <p>Announces a listening session to be held during the public comment period for the external review draft document titled, "Toxicological Review of 1,4-Dioxane: In Support of Summary Information on the Integrated Risk Information System." The listening session will be held 07/06/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED061909-11	Toxic Substances 1,4-Dioxane	06/17/2009	74 FR 28700	Notice	Draft Toxicological Review of 1,4-Dioxane: In Support of the Summary Information in the Integrated Risk Information System; Correction Corrects registration deadline listed in announcement (74 FR 27313 , 06/009/2009) for listening session to be held during the public comment period for the external review draft document titled, " Toxicological Review of 1,4-Dioxane: In Support of Summary Information on the Integrated Risk Information System. "	
FED061909-12	Toxic Substances Pentachlorophenol	06/09/2009	74 FR 27317	Notice	Draft Toxicological Review of Pentachlorophenol: In Support of the Summary Information in the Integrated Risk Information System Announces a listening session to be held during the public comment period for the external review draft document titled, " Toxicological Review of Pentachlorophenol: In Support of Summary Information on the Integrated Risk Information System. " The listening session will be held 06/24/2009.	
FED061909-13	TSCA Nonylphenol and Nonylphenol Ethoxylate	06/17/2009	74 FR 28654	Notice	Testing of Certain Nonylphenol and Nonylphenol Ethoxylate Substances [40 CFR Part 799] Advance notice of proposed rulemaking for aquatic and sediment toxicity testing for nonylphenol and nonylphenol ethoxylates. Requests comments about gathering data to facilitate the evaluation of industrial laundry worker exposure. Comments due 09/15/2009. [RIN 2070-AJ34]	
FED061909-14	Water Quality Acrolein and Phenol	06/10/2009	74 FR 27535	Notice	Notice of Availability of National Recommended Water Quality Criteria for Acrolein and Phenol Announces the availability of updated national recommended water quality criteria for acrolein and phenol. The criteria for acrolein and phenol are being updated with reference dose values from EPA's Integrated Risk Information System .	

1.2 Regulatory Communication Working Group Updates

Regulatory Communication Working Group Calls in 2009 will be held on the following Wednesdays at 12 p.m. CT:

- 1 July
- 15 July
- 5 August
- 19 August
- 2 September
- 16 September
- 7 October
- 21 October
- 4 November
- 18 November
- 2 December

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA061909-1	Air Air Quality	06/19/2009	CRNR 2009, 25z, p. 988	Final Rule	Air Resources Board AB 118 Air Quality Guidelines–Air Quality Improvement Program and Alternative, Renewable Fuel and Vehicle Technology [13 CCR 2340, 2341, 2342, 2343, 2344, and 2345] Adopts regulations intended to ensure that projects funded by the ARB through the Air Quality Improvement Program and by the Energy Commission through the Alternative and Renewable Fuel and Vehicle Technology Program will not interfere with the achievement of the ambient air quality standards and will maintain or improve upon benefits of the SIP and clean fuels regulations. Effective 06/04/2009.	
CA061909-2	Air SIP–PM	06/11/2009	74 FR 27716	Direct Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and South Coast Air Quality Management District [40 CFR 52] Approves revisions to the AVAQMD and SCAQMD portions of the California SIP. These revisions concern particulate matter (PM-10) emissions from open outdoor fires and from wood-burning devices. Effective 08/10/2009. SIP References: General Provisions–40 CFR Part 52 Subpart A California SIP–40 CFR Part 52 Subpart F	
CA061909-3	Air SIP–VOCs	06/08/2009	74 FR 27084	Proposed Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [40 CFR 52] Proposes to approve revisions to the SJVUAPCD portion of the California SIP. These revisions concern VOC emissions from organic solvent cleaning and degreasing operations. Comments due 07/08/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA061909-4	Air SIP-VOCs	06/16/2009	74 FR 28467	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [40 CFR 52]</p> <p>Proposes to approve revisions to the SJVUAPCD portion of the California SIP. These revisions concern VOC emissions from the coating of metal parts, large appliances, metal furniture, motor vehicles, mobile equipment, cans, and coils; and the organic solvent cleaning, storage, and disposal related to such operations. Comments due 07/16/2009.</p>	
CA061909-5	Endangered Species	06/10/2009	74 FR 27587	Proposed Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Proposed Revised Critical Habitat for <i>Navarretia fossalis</i> (Spreading Navarretia); [50 CFR 17]</p> <p>Proposes to revise the designated critical habitat for <i>Navarretia fossalis</i> to an area of approximately 6,872 acres located in Los Angeles, Riverside, and San Diego counties, California. Comments due 08/10/2009. [RIN 1018-AW22]</p>	
CA061909-6	Endangered Species	06/12/2009	CRNR 2009, 24z, p. 909	Proposed Rule	<p>Fish and Game Commission</p> <p>Methods Authorized for Taking Resident Small Game and Migratory Upland Game Birds Within the Range of the California Condor [14 CCR 311.1, 507.2]</p> <p>Adds the above sections relating to methods authorized for taking resident small game and migratory upland game birds within the range of the California condor. Public hearings will be held 06/25/2009 and 08/06/2009 in Woodland, California. Comments due 08/06/2009.</p>	
CA061909-7	Endangered Species	06/19/2009	CRNR 2009, 25z, p. 964	Proposed Rule	<p>Fish and Game Commission</p> <p>Delist American Peregrine Falcon from California Endangered Species Act (CESA) [14 CCR 670.5 (5)(a)]</p> <p>Recommends that the Commission delete the American Peregrine Falcon from the list of endangered or threatened species. A public hearing will be held 08/06/2009 in Woodland California. Comments due 08/06/2009.</p>	
CA061909-8	Endangered Species	06/12/2009	CRNR 2009, 24z, p. 912	Proposed Rule	<p>Fish and Game Commission</p> <p>New Restricted Species Permits and Requirements [14 CCR 671, 671.1, 671.7, and 703]</p> <p>Proposes to amend Sections 671, 671.1, and 671.7 and add Section 703, Title 14, California Code of Regulations, relating to New Restricted Species Permits and Requirements.</p>	
CA061909-9	Endangered Species	06/12/2009	CRNR 2009, 24z, p. 924	Proposed Rule Notice of Findings	<p>Fish and Game Commission</p> <p>Longfin Smelt [14 CCR 670.5]</p> <p>Proposes to amend the above section to add the longfin smelt to the list of threatened species. A public hearing is scheduled for 06/25/2009 in Woodland, California. Comments due 06/25/2009.</p>	
CA061909-10	Proposition 65	06/19/2009	CRNR 2009, 25z, p. 970	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Chemicals Known to the State to Cause Cancer or Reproductive Toxicity</p> <p>Annual listing of the chemicals known to the state to cause cancer or reproductive toxicity.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA061909-11	Proposition 65	06/19/2009	CRNR 2009, 25z, p. 987	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Marijuana Smoke Listed Effective June 19, 2009 As Known To The State Of California To Cause Cancer [27 CCR 25305(a)(1)].</p> <p>Announces the addition of marijuana smoke to the state carcinogen list. Further information available on the OEHA website. Effective 06/19/2009.</p>	
CA061909-12	Proposition 65	06/19/2009	CRNR 2009, 25z, p. 987	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Public Health Goals (PHGs) for Trihalomethanes in Drinking Water</p> <p>Announces the availability of a draft technical support document for the proposed PHGs for THMs in drinking water. The draft document on THMs is a new risk assessment, culminating in an extensive evaluation of the toxicity of the chemicals in this group, which include chloroform, bromodichloromethane, chlorodibromomethane, and bromoform. Public hearing is scheduled for 08/07/2009 in Oakland, California. Further information is available on the OEHA website. Comments due 08/07/2009.</p>	
CA061909-13	Proposition 65	06/12/2009	CRNR 2009, 25z, p. 924	Request for Comments	<p>Office of Environmental Health Hazard Assessment</p> <p>Request for Comments on Chemicals Proposed for Listing by the Labor Code</p> <p>Requests comments as to whether the chemicals identified meet the requirements for listing under Proposition 65 for Carcinogens and Reproductive and Developmental Toxicants.</p> <ul style="list-style-type: none"> ▪ Possible additions to the carcinogen list: <ul style="list-style-type: none"> ▪ Styrene ▪ Vinyl acetate ▪ Marine diesel fuel ▪ others ▪ Possible additions to the toxicant list: <ul style="list-style-type: none"> ▪ Tert-Amyl methyl ether ▪ n-Butyl glycidyl ether ▪ Carbaryl ▪ Chloroform ▪ 2-Chloropropionic acid ▪ Dichloroacetic acid ▪ Diglycidyl ether ▪ N,N-dimethylacetamide ▪ Ethylene oxide ▪ Ethyl-tert-butyl ether ▪ 2-Ethylhexanoic acid ▪ Methyl chloride ▪ Methyl n-butyl ketone ▪ p,p'-Oxybis(benzenesulfonyl hydrazide) ▪ Phenyl glycidyl ether ▪ Phenylphosphine ▪ Toluene ▪ 1,3,5-Triglycidyl-s-triazinetriene ▪ 4-Vinyl -cyclohexene <p>Comments due 07/13/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA061909-14	Storage Tanks USTs	06/12/2009	CRNR 2009, 24z, p. 936	Final Rule	State Water Resources Control Board Storage of Biodiesel Blends in Underground Storage Tanks [23 CCR 2631.2] Emergency regulatory action allows for the lawful storage of certain biodiesel blends up to 20 percent biodiesel and 80 percent petroleum diesel, commonly known as B20, in USTs that have been tested and approved for storing petroleum diesel, if specified conditions are met. Effective 06/01/2009.	

2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO061909-1	Air Quality	06/10/2009	CO Register Vol. 32, No. 6	Notice	Colorado Department of Public Health and Environment 5 CCR 1001 Air Quality Control Commission Announces a public hearing to discuss revisions to Colorado Air Quality proposal to revise the following: <ul style="list-style-type: none"> ▪ 5 CCR 1001-16—Regulation No. 13 Reduction of Carbon Monoxide Emissions from Gasoline Powered Motor Vehicles through the use of Oxygenated Gasolines The hearing will be held 08/20/2009 at CDPHE in south Denver, Colorado.	
CO061909-2	Hazardous Waste	06/10/2009	CO Register Vol. 32, No. 6	Adopted Rule	Colorado Department of Public Health and Environment 6 CCR 1007 Hazardous Materials and Waste Management Division Adopts amendments to 6 CCR 1007-3 , Part 6, to incorporate changes made to the Hazardous Waste-Hazardous Waste Commission fees. Effective 06/29/2009.	
CO061909-3	Hazardous Waste	06/10/2009	CO Register Vol. 32, No. 6	Adopted Rule	Colorado Department of Public Health and Environment 6 CCR 1007 Hazardous Materials and Waste Management Division Adopts amendments to 6 CCR 1007-3 Part 100 , 6 CCR 1007-3 Part 262 , and 6 CCR 1007-3 Part 8 to incorporate changes made to the Hazardous Waste-Hazardous Waste Commission fees. Effective 06/29/2009.	

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL061909-1	Air Stationary Sources	06/09/2009	FAW Notice #7302080	Final Rule	Chapter 62–FDEP 212–Stationary Sources–Preconstruction Review Final rule amends Chapter 62-212, F.A.C., in response to requirements imposed by EPA's conditional approval of Florida's PSD air permitting program under the federal CAA. Amendments clarify that for any pollutant for which a permit applicant determines there will be no significant emissions increase pursuant to the PSD applicability provisions, the applicant must provide the following: <ul style="list-style-type: none"> Any netting calculations that were used Documentation of any emissions that were allowably excluded in the determination of projected actual emissions Effective 06/29/2009.	
FL061909-2	Air Stationary Sources	06/09/2009	FAW Notice #7301983	Final Rule	Chapter 62–FDEP 210–Stationary Sources–General Requirements Final rule amends Chapter 62-210, F.A.C., in response to requirements imposed by EPA's conditional approval of Florida's PSD air permitting program under the federal CAA. Amendments include the following: <ul style="list-style-type: none"> Clarify the definition of "New Emissions Unit" as used in the PSD program Add ODS to the definitions of "Regulated Air Pollutant" and "Significant Emissions Rate" such that emissions of ODSs are treated the same under Florida's PSD rules as under EPA's PSD regulations Effective 06/29/2009.	
FL061909-3	SJRWMD Endangered Species	06/19/2009	FAW Notice #7272495	Proposed Rule	Chapter 40C–Environmental Resource Permits: Surface Water Management Systems Proposes to address the change in classification of the bald eagle in the Federal Wildlife Conservation's imperiled species regulations. The proposed rules amend the Applicant's Handbook: Management and Storage of Surface Waters, and Rule 40C-4.091, F.A.C., which incorporates these sections by reference. In addition, the proposed rules update the definitions of listed species, endangered species, and threatened species by amending subsection 40C-4.021(20), F.A.C. A hearing will be held 08/11/2009. Comments due 07/10/2009.	
FL061909-4	Water Numeric Nutrient Criteria	06/12/2009	FAW Notice #7237672	Notice Rule Development Workshop	Chapter 62–FDEP 4–Permits Proposes to amend Rule 62-4.244, F.A.C., to allow for mixing zones for nutrients in those water bodies that have numeric criteria established in Chapter 62-302, F.A.C. This is included as part of the ongoing rulemaking effort to establish numeric nutrient criteria in Chapter 62-302, F.A.C. A workshop will be held 07/22/2009 in Marco Island, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL061909-5	Water Pretreatment	06/19/2009	FAW Notice #7143582	Notice Rule Development Workshop	Chapter 62–FDEP 625–Pretreatment Requirements for Existing and Other Sources of Pollution Proposes to incorporate revisions made to 40 CFR Parts 122, 146, and 403 associated with pretreatment program requirements, including the October 2005 revisions that clarify and update the existing rule language. Revisions include several streamlining procedures for approval and implementation of pretreatment programs, as well as other important changes for the evaluation of local limits and of the need for a pretreatment program for certain discharges to UIC wells. A workshop will be held 07/22/2009 at FDEP, Tallahassee, Florida.	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA061909-1	Air Control Techniques Guidelines	06/20/2009	AQ296	Final Rule	Louisiana Department of Environmental Quality Environmental Quality Regulations [(LAC 33:III.111.2123, and 2143)] Reflects changes made to the lithographic printing materials and letterpress printing materials CTG and the flexible package printing materials CTG. In addition, EPA incorporated an option into the industrial cleaning solvents CTG. The final CTGs for paper, film, and foil coatings have been revised to provide separate applicability recommendations for coating operations and cleaning operations, and the final CTGs for metal furniture coatings and large appliance coatings have been revised to reflect a lower VOC content coatings recommendations. It also amends the state air regulations to follow the CTG recommendations provided by EPA, which will then be included in the SIP to meet the requirements of the CAA. Effective 06/20/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA061909-2	Air, Radiation, Water, Waste	06/20/2009	LDEQ Website MM011fi	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>Incorporations by Reference [LAC 33:III.506, 507, 2160, 3003, 5116, 5122, 5311, and 5901; V 3099; IX 2301, 4901, and 4903; XV1599]</p> <p>Incorporates by reference the following federal regulations published in 2008 as applicable to Louisiana:</p> <ul style="list-style-type: none"> ▪ Reportable Quantity Lists for Pollutants: <ul style="list-style-type: none"> ▪ 40 CFR 117.3, Table 117.3–Reportable Quantities of Hazardous Substances Designated Pursuant to Section 311 of the Clean Water Act ▪ 40 CFR 302.4 Table 302.4–List of Hazardous Substances and Reportable Quantities ▪ 40 CFR 302.6(e) –Notification Requirements ▪ 40 CFR 355.40(a)(2)(vii) –Emergency Release Notification ▪ Air <ul style="list-style-type: none"> ▪ 40 CFR 96–CAIR SO₂ opt-in units and all references to opt-in units ▪ 40 CFR 70.6(a)–Operating Permits Program ▪ 40 CFR 51 Appendix M–Method 43: Capture Efficiency Test Procedures ▪ 40 CFR 60–Standards of Performance for New Stationary Sources (NSPS) ▪ 40 CFR 61–National Emission Standards for Hazardous Air Pollutants ▪ 40 CFR 63–National Emission Standards for Hazardous Air Pollutants for Source Categories ▪ Hazardous Waste and Hazardous Materials <ul style="list-style-type: none"> ▪ 40 CFR 68–Chemical Accident Prevention and Minimization of Consequences ▪ 40 CFR 266 Appendixes I-IX- and XI-XIII–Hazardous Waste Burned in Boilers and Industrial Furnaces ▪ Water Quality <ul style="list-style-type: none"> ▪ 40 CFR 136–Guidelines Establishing Test Procedures for the Analysis of Pollutants ▪ 40 CFR 401 and 405-471–Effluent Guidelines and Standards ▪ Radiation Protection <ul style="list-style-type: none"> ▪ 10 CFR 71 Appendix A–Procedures for Determining A1 and A2 <p>Effective 06/20/2009.</p>	
LA061909-3	Storage Tanks, Water, and Waste	06/20/2009	LDEQ Website MM010	Proposed Rule	<p>Louisiana Department of Environmental Quality</p> <p>Environmental Quality Regulations [LAC 33:V.105, 321, 1513, 1529, 3005, and 3105; VII.715 and 1101; IX.5903; and XI.1121]</p> <p>Proposes to correct errors. Changes include deleting unnecessary or redundant language, restructuring certain wording, and correcting improper regulation citations. Also deletes information in LAC 33:V.3015, Table 2, to reflect a change in 40 CFR 261, Appendix VIII. A public hearing will be held on 07/28/2009 in Baton Rouge, Louisiana. Comments due 07/04/2009.</p>	

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

2.6.1 General Assembly Chapter Laws

The following bills passed by The Maryland General Assembly during the 2009 session have been approved by the Governor. For further information, please refer to the [Maryland Register](#) or the Maryland General Assembly's [2009 90-Day Report](#):

- **CH0574 SB0621 (Amended) Sen King, et al.** Sales and Use and Property Tax-Exemptions-Solar Energy Equipment and Property. Altering the definition of "solar energy equipment" for purposes of an exemption under the sales and use tax for specified geothermal equipment and solar energy equipment; and altering the definition of "solar energy property" for purposes of an exemption for property tax for specified solar energy equipment. Effective 1 July 2009: **TG, §11-230 and TP, §7-242-amended.**
- **CH0640 SB0991 (Amended) Sen Stone, et al.** Business Occupations-Crane Operators-Certificate of Competence. Prohibiting a person from operating a crane in the state for construction work or demolition work unless the person holds a Certificate of Competence; prohibiting a person from authorizing the operation of a crane in the state for construction work or demolition work unless the crane operator holds a Certificate of Competence; requiring a person who holds a Certificate of Competence to carry the certificate while operating a crane; etc. Effective 1 October 2009: **BOP, §§9.5-101 through 9.5-107-added.**
- **CH0650 SB1065 (Amended) Sen Frosh, et al.** Standing-Miscellaneous Environmental Protection Proceedings and Judicial Review. Repealing specified contested case hearing provisions related to permitting decisions by the Department of the Environment; authorizing judicial review of specified permitting and license decisions by the Department or the Board of Public Works at the request of specified persons that meet specified federal standing requirements and participate in a specified public participation process; etc. Effective 1 January 2010: **EN, Various Sections and NR, §8-1808(d)-amended, EN, §§1-606 and 16-308-repealed, and §1-606-added.**
- **CH0665 HB0259 (Enrolled) Del King, et al.** Environmental Health Monitoring and Testing-Reimbursement of Costs. Requiring responsible persons to reimburse a county or the Department of the Environment for reasonable costs that the county or the Department incurs in conducting environmental health monitoring or testing, including the cost of collecting and analyzing soil samples, surface water samples, or groundwater samples to assess the effect on public health and the environment of the person's release of a hazardous substance, discharge of oil, or discharge of a pollutant in state waters; providing for an exception; etc. Effective 1 October 2009: **EN, §§1-304 and 9-342.2-added.**
- **CH0743 HB1567 (Enrolled) Del Hecht, et al.** Clean Energy Loan Programs. Authorizing political subdivisions to enact an ordinance or a resolution establishing a Clean Energy Loan Program for a specified purpose; requiring the Clean Energy Loan Program to require a property owner to repay a specified loan through a surcharge on the owner's property tax bill; limiting the amount of the surcharge; providing that a person who acquires property subject to a specified surcharge assumes the obligation to pay the surcharge; etc. Effective 1 October 2009: **Art. 24, §§9-1501 through 9-1507-added.**

2.6.2 Intended Use Plans for Water Projects

MDE has published a [Notice of Public Hearing](#) on the Draft Federal Fiscal 2009/State Fiscal 2011 Intended Use Plan for Clean and Drinking Water Capital Projects. The plan addresses the [Water Quality Revolving Loan Fund](#) and [Drinking Water Revolving Loan Fund](#) Programs. The IUPs and their respective draft Project Priority Lists are now available for review at <http://www.mde.state.md.us/wqfa>. The public hearing will be held on 26 June 2009 at MDE in Baltimore, Maryland.

2.7 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Mississippi.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS061909-1	Hazardous Waste	06/08/2009	Mississippi Administrative Bulletin #16258, Notice and Full Text	Final Rule	<p>Mississippi Department of Environmental Quality Hazardous Waste Management Regulations (HW-1) [Part 260, 261, 262, 262.S1, 263, 263.S1, 264, 264.S1, 264.S2, 264.S4, 265, 265.S1, 266, 267, 268, 270, 270.S1, 270.S2, 270.S3, 270.S4, 273, 279, 124, 126]</p> <p>Proposes to amend the present Mississippi Hazardous Waste Regulations to incorporate by reference certain final federal regulations that revised the definition of solid waste to exclude certain hazardous secondary materials from regulation to encourage recycling and resource conservation, responded to several court decisions concerning the definition of solid waste, and expanded the comparable fuels exclusion to newly excluded hazardous secondary materials called "emission-comparable fuel." Effective 07/10/2009.</p>	

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH061909-1	Air SIP-Ozone Attainment	06/12/2009	74 FR 27957	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio: Redesignation of the Cleveland-Akron-Lorain Area to Attainment for Ozone [40 CFR Parts 52 and 81]</p> <p>Proposes a determination that the Cleveland-Akron-Lorain nonattainment area, including Cuyahoga County, has attained the 8-hour ozone NAAQS. This determination is based on quality-assured ambient air quality monitoring data for the 2006 through 2008 ozone seasons. Also proposes to approve, as a revision to the Ohio SIP, the state's plan for maintaining the 8-hour ozone NAAQS through 2020 in the area. Comments due 07/13/2009.</p> <p>SIP References: General Provisions-40 CFR Part 52 Subpart A Ohio SIP-40 CFR Part 52 Subpart KK Designation of Areas for Air Quality Planning Purposes-40 CFR Part 81 Subpart C</p>	GRC should be aware of the proposal.
OH061909-2	Wastewater Permit to Install	06/17/2009	Public Notice	Final Rules	<p>Division of Surface Water, OEPA</p> <p>Permits to Install and Plan Approvals for Water Pollution Control (OAC Chapter 3745-42)</p> <p>Addresses administrative and technical requirements for obtaining a wastewater permit to install. The changes include formatting changes intended to make the rules easier to understand, adding isolation distance requirements to ensure that adequate setbacks are maintained from waters of the state, removing requirements on the use of filter sand, and adding restrictions on the approvals for sewage holding tanks. Further details regarding these changes are available in the public notice and responsive summary to comments. Effective 09/01/2009.</p>	

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

2.10.1 Draft Rule Language: Section 185 Severe Nonattainment Area Fees

TCEQ is seeking stakeholder input on the [draft rule language](#) to implement the federal Clean Air Act Failure to Attain (Section 185) rule. Major stationary sources in the Houston/Galveston/Brazoria severe ozone nonattainment area are subject to Section 185 of the federal CAA penalty fee if the area fails to attain the NAAQS by the attainment date. The required penalty is \$5,000 per ton, as adjusted by the consumer price index, of VOC or NOx emitted in excess of 80 percent of the stationary source's baseline emissions. TCEQ is seeking stakeholder

input to assist in determining the most appropriate approach in developing rules to meet the federal requirements.

2.10.2 HRVOC Stakeholder Group Meeting

TCEQ will conduct a [meeting](#) of the HRVOC Stakeholder Group on 2 July 2009 at the Houston-Galveston Area Council to provide an update regarding potential revisions to the Highly Reactive Volatile Organic Compounds Emissions Cap and Trade program allowance allocation methodology.

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT061909-1	RCRA USTs	06/15/2009	UT Bull. Vol. 2009-12: DAR File No. 32696	Proposed Rule	<p>UDERR; Department of Environmental Quality</p> <p>USTs: Certification Programs [UAC R311-201]</p> <p>The proposed rule would do the following:</p> <ul style="list-style-type: none"> Revise the text of UAC R311-201-6(e)(9) so that the time frame in which a certified UST installer must notify UDERR before installing or upgrading a UST is modified from 30 days to 10 days. The revised text will match the 10-day time frame listed in R311-203-3(a). Create three classes (A, B, and C) of trained and registered UST operators within a new Operator Training section. Each UST facility would be required to have a Class A, B, and C UST operator by 01/01/2012. Public hearings are scheduled as follows: <ul style="list-style-type: none"> 06/16/2009 - Moab, Utah 06/17/2009 - Vernal, Utah 06/23/2009 - Logan, Utah 06/25/2009 - Cedar City, Utah 07/07/2009 - Salt Lake City, Utah <p>Comments due 07/15/2009.</p>	
UT061909-2	Water NPDES	06/08/2009	74 FR 27141	Notice	<p>U.S. Environmental Protection Agency</p> <p>Cross-Media Electronic Reporting Rule State Authorized Program Revision Approval: State of Utah [40 CFR Part 3]</p> <p>Announces approval for Utah to revise the NPDES State Program Requirements to allow electronic submittals of Discharge Monitoring Reports. Effective 06/08/2009.</p>	

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA061909-1	Waste Solid Waste	06/08/2009	VDEQ website	Notice of Availability	Virginia Department of Environmental Quality The 2008 solid waste report has been released. Includes solid waste generated in Virginia in 2008, as well as amounts and sources outside of Virginia.	
VA061909-2	Water TMDLs	06/08/2009	25:20 Va.R. 3522	Final Rule	State Water Control Board 9 Virginia Administrative Code (VAC) 25-720 Finalizes amendments to include new TMDL waste load allocations for the Chesapeake Bay Small Coastal Basin. The TMDL waste load allocations for WFF are unchanged. Effective 07/08/2009.	